



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Board Of Physical Therapy Examiners

BOARD MEETING MINUTES

March 17, 2009

The March 17, 2009 meeting was called to order at 1:00 p.m.
by the Chairperson, Margery Rodgers, PT.

Board members present:

John Baker, PT
Ved K. Gupta, Consumer Member
Shirley Leeper, PTA, Vice Chairperson
Lori Mizell, PT
Donald Novak, PT
Lois Rosedom-Boyd, Consumer Member
Stephen Ryan, PT

Also present:

Ann E. Tyminski, Executive Director
Joy E. Aaron, Deputy Director
Patricia Miller, Licensing Coordinator
Sandra Kurland, Board Secretary
Ernest Bures, Investigator/Compliance Officer
Teresa Thornton, Investigator
Linda Bethman, AAG, Board Counsel
Francesca Gibbs, Staff Attorney
Paula Hollinger
Sharon Bloom

Expense sheets were handed out and collected.

Expense Sheets

The agenda was accepted as amended.

Agenda

Minutes of the Open Session for the February 17, 2009 Board
meeting were approved as corrected.

Minutes

Ann Tyminski received an e-mail from Diana Johnson, PT, Director
of Rehabilitation Services for the University of Maryland Medical
Center. Ms. Johnson states that there is a therapist who is questioning
her department's billing practices. The Board advises that what to
bill for is a practice decision and what to reimburse is a payor issue.

Billing Inquiry

Ann Tyminski received an e-mail from Arlynn Brown, PT, in reference to her 2009 renewal. She says that she has served on the Editorial Board of the Journal of Hand Therapy since 1981 and has used this work for CEU's since 1996. She asks if she may continue to do so since she no longer does clinical practice. The Board stated that she may continue to do so if the work meets the Board's criteria for CEUs. She will be referred to COMAR regulations.

CEU Inquiry

Linda Horn, PT faxed a memo to the Board with several practice related questions.

Practice Questions

1. Can a PTA, who is also a massage therapist, perform massages independently as a massage therapist at another site?

The Board's answer was yes, as long as the therapist is clearly identified as a Massage Therapist while performing massages.

Can a PT do personal training on the side as a personal trainer, (no initial eval., treatment plan, etc.)?

The Board's answer is that personal trainers are not regulated in Maryland at this time. Therefore anyone can provide personal training services. A PT doing so, must not use his/her PT license when providing personal training services if they are not keeping a patient record.

2. I was told by the Board that an instructor for a CEU course requires a temporary license. Since the temporary license is no longer available, can a course instructor from another state do demonstrations on patients during the course? Also, if there is a patient in the course, can a course participant from another state evaluate/treat the patient?

The Board stated that an out of state instructor for a CEU course requires a restricted, not temporary, license. A course participant from another state must also have a restricted license if they plan to evaluate or treat a person at the CEU course.

3. When attending the law course, we were told that a PTA could not do the Berg Balance Scale, Tinetti, etc., as it required an assessment to determine if the patient was a 2 or 3 for example. Has this changed?

The Board stated that a PTA may perform a test, but may not interpret the results. This is now stated in the laws and regulations. She will be referred to 13-101 (h)(2) (i) and 13-101 (h) (3) (i).

4. Do you have dates for the law course yet?

The board has two law courses per year, June and November. The next available law course is June 2, 2009. She will be referred to the Board's website for information.

Micki Roser, PTA, is considering starting a consulting business for those who will be caregivers in their home. Ms. Roser is also considering taking a course on home safety and environmental modifications geared toward the handicapped, elderly and pediatrics. She would like to know if she will be limited by being a PTA. The Board stated that she will not be limited as long as she will not be using her PTA license or performing physical therapy home assessments.

Home Safety

Ann Tyminski discussed the expungement information for Nahid Soltanpour, PTA applicant. The Board decided that Ms. Soltanpour may reapply for PTA licensure in Maryland by examination.

Nahid Soltanpour

Ann Tyminski reported that a hearing is scheduled for the Athletic Trainers' Bill on March 18, 2009. She also reported that the Reorganization of Boards Bill would be heard on March 25, 2009. The Boards have many proposed amendments and the Attorney General's office has indicated they would support only what the Task Force had recommended.

Legislation

Stephen Ryan, PT, Chairman of the Legislative Committee, will contact committee members for a date to review the practice act for possible legislation in the 2010 session.

Legislative Committee

Shirley Leeper, PTA and Lori Mizell, PT discussed the revision of the open book law exams. Some of the questions do not have answers in Laws & Regulations. The revisions were given to Ann Tyminski for review. She will distribute copies to Board members in the April meeting packet.

Law Exams

Ann Tyminski reminded Board members of their responsibilities.

Board Members Responsibilities

1. notify the office when away from the area and not available
2. legislative committee to meet for discussion of legislature for the next year
3. committees are to fulfill their responsibilities

Reports

Income summaries were distributed.

Income Summaries

Joy Aaron reported that this is the Board's third year for online renewals, and most comments from the licensees have been positive. This year an edit option has been added.

Online Renewals

Ann Tyminski and Joy Aaron discussed the upcoming Ethics Course, to be held on April 3, 2009. Of the 400 seats available, there are only 17 remaining. John Baker, PT will introduce the speaker for the course, and Margery Rodgers, PT, Board Chair, will welcome attendees.

Ethics Course

Information

An article from Fox News online in reference to a dentist using inappropriate physical contact during treatment was distributed to the Board.

News Article

The winter 2009 Chiropractic Newsletter was distributed to the Board.

Newsletter

The FSBPT report, Referral for Financial Gain, was distributed to the Board for review.

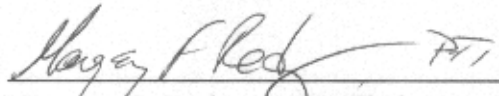
FSBPT Report

The Open Session of the meeting adjourned at 1:30 p.m., and the Board immediately entered closed session for the purpose of medical review deliberations of applications, according to Section 10-508 (a)(13).

Respectfully submitted,

April 21, 2009
Date approved


Ann Tyminski, Executive Director


Margery F. Rodgers, PT, Chairperson